

REMARKS

Claims 1-21 and 23-38 are pending. Claims 1 and 33 have been amended, claim 22 has been canceled, and new claim 38 has been added to recite additional features of the embodiments of the invention disclosed in the specification.

In the Office Action, claims 1-7 were rejected under 35 USC § 103(a) for being obvious based on the new cited Neely reference taken in combination with Kuthyar, Barrus, and Takahashi, and the remaining claims were rejected for being obvious in view of a Neely-Barrus combination. Applicants traverse this rejection for the following reasons.

The Neely reference is a published U.S. patent application. As such, its effective filing date when used as a reference is its U.S. filing date, taking into consideration any claims to domestic priority under 35 USC §§ 119(e) and 120. (See MPEP § 2136). The effective filing date of the Neely publication is January 9, 2003.

Under the provisions of MPEP § 201.15, the Neely publication may be antedated if the present application has an effective filing date earlier than the effective filing date of the Neely publication. In the original application papers, Applicants claimed priority under 35 USC § 119 to Korean Patent Application No. 77988/2002, which has a filing date of December 9, 2002. The effective filing date of the present application is therefore before the effective filing date of the Neely publication.

In order to antedate the Neely publication based on the earlier effective filing date of the present application, the following documents must be filed: (1) an English translation of a

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certified copy of the foreign priority document (Korean Patent Application No. 77988/2002) and (2) a statement indicating that the translation is accurate. (See MPEP § 201.15). Applicants have submitted these documents with this paper.

With the filing of these documents, it is respectfully submitted that the Neely publication has been removed as a reference against the claims in the present application. Accordingly, withdrawal of the § 103 rejections and furtherance of the application to allowance is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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